

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS 1 October 2000 AND ENDS 30 September 2001)

AGENCY OR DEPARTMENT: Immigration and Naturalization Service

PART I PRE-COMPLAINT COUNSELING
COUNSELING

671	1. TOTAL NUMBER OF INDIVIDUALS COUNSELED
415	A. NUMBER OF INDIVIDUAL COUNSELED WITHIN 30 DAYS
206	B. NUMBER OF INDIVIDUALS COUNSELED WITHIN 31 TO 90
50	C. NUMBER OF INDIVIDUALS COUNSELED BEYOND 90 DAYS
0	D. NUMBER OF INDIVIDUALS COUNSELED DUE TO REMANDS

NON-ADR SETTLEMENTS DURING COUNSELING

2. NON-ADR SETTLEMENTS WITH MONETARY BENEFITS

Number	Amount	
0	\$0	COMPENSATORY DAMAGES
0	\$0	BACKPAY/FRONTPAY
0	\$0	LUMP SUM PAYMENT
0	\$0	ATTORNEY'S FEES AND COSTS
		OTHER (Please specify on Comments Page)
		OTHER (Please specify on Comments Page)
		OTHER (Please specify on Comments Page)

5	3. NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS
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PART II FORMAL COMPLAINT ACTIVITIES

1389	1. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD
480	2. COMPLAINTS FILED
8	3. REMANDS
1877	4. TOTAL COMPLAINTS (sum of lines 1+2+3)
1807	5. COMPLAINTS IN LINE 4 THAT WERE NOT CONSOLIDATED
611	6. COMPLAINTS IN LINE 5 CLOSED DURING REPORT PERIOD
70	7. COMPLAINTS IN LINE 4 THAT WERE CONSOLIDATED
45	8. COMPLAINTS IN LINE 7 CLOSED DURING REPORT PERIOD
1221	9. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (line 4 - (sum of lines 6+8))
422	10. INDIVIDUALS FILING COMPLAINTS
35	11. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

PART III

A. AGENCY RESOURCES	NUMBER	PERCENT
1. WORK FORCE		
A. TOTAL WORK FORCE	33502	
B. PERMANENT	31469	
2. COUNSELOR		
A. FULL-TIME	11	7.48
B. PART-TIME	3	2.04
C. COLLATERAL DUTY	133	90.48
3. INVESTIGATOR		
A. FULL-TIME	0	0.00
B. PART-TIME	0	0.00
C. COLLATERAL DUTY	0	0.00
4. COUNSELOR/INVESTIGATOR		
A. FULL-TIME	0	0.00
B. PART-TIME	0	0.00
C. COLLATERAL DUTY	0	0.00

B. STAFF TRAINING

	COUNSELOR	INVESTIGATOR	COUNSELOR/ INVESTIGATOR
1. NEW STAFF - TOTAL	84	0	0
A. STAFF RECEIVING REQUIRED 32 OR MORE HOURS	84	0	0
B. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF	0	0	0
C. STAFF RECEIVING NO TRAINING AT ALL	0	0	0
2. EXPERIENCED STAFF - TOTAL	63	0	0
A. STAFF RECEIVING REQUIRED 8 OR MORE HOURS	27	0	0
B. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF	35	0	0
C. STAFF RECEIVING NO TRAINING AT ALL	1	0	0

C. REPORTING LINE

1. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD?	YES	NO
		X
2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?		
PERSON:	<u>George H. Bohlinger III</u>	
TITLE:	<u>Executive Associate Commissioner, Office of Management</u>	

PART V SUMMARY OF CLOSURES BY STATUTE

1. STATUTE (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE)

<u>656</u>	A. TITLE VII
<u>148</u>	B. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)
<u>57</u>	C. REHABILITATION ACT
<u>0</u>	D. EQUAL PAY ACT (EPA)

2. TOTAL BY STATUTES

861 THIS NUMBER MAY BE LARGER THAT TOTAL NUMBER OF COMPLAINTS CLOSED.
(1A+1B+1C+1D)

PART VI SUMMARY OF CLOSURES BY CATEGORY

		TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
1.	TOTAL NUMBER OF CLOSURES (A+B+C)	656	492722	
	A. WITHDRAWALS	34	16619	
	B. SETTLEMENTS	79	51471	
	C. FINAL AGENCY DECISIONS (2+3)	543	424632	
2.	FINAL AGENCY DECISIONS <i>WITHOUT</i> AN ADMINISTRATIVE JUDGE DECISION (A+B+C)	317	189205	
	A. FINDING DISCRIMINATION	7	7576	
	B. FINDING NO DISCRIMINATION	166	109503	
	C. DISMISSAL OF COMPLAINTS	144	72126	
3.	FINAL AGENCY ACTIONS <i>WITH</i> AN ADMINISTRATIVE JUDGE (AJ) DECISION (A+B+C)	226	235427	
	A. AJ DECISION FULLY IMPLEMENTED (1+2)	226	235427	
	(1) FINDING DISCRIMINATION	6	5625	
	(2) FINDING NO DISCRIMINATION	220	229802	
	B. AJ DECISION NOT FULLY IMPLEMENTED (1+2)	0	0	
	(1) FINDING DISCRIMINATION (a+b+c)	0	0	
	a. AGENCY APPEALED FINDING BUT NOT REMEDY	0	0	
	b. AGENCY APPEALED REMEDY BUT NOT FINDING	0	0	
	c. AGENCY APPEALED BOTH FINDING AND REMEDY	0	0	
	(2) FINDING NO DISCRIMINATION	0	0	
	C. DISMISSAL OF COMPLAINTS	0	0	

**PART VII SUMMARY OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION
DURING FORMAL COMPLAINT STAGE**

	NUMBER	AMOUNT
1. TOTAL COMPLAINTS CLOSED WITH CORRECTIVE ACTION	92	
2. CLOSURES WITH MONETARY BENEFITS	39	\$332887
A. BACK PAY/FRONT PAY	6	\$55467
B. LUMP SUM PAYMENT	33	\$277422
3. CLOSURES WITH NON-MONETARY BENEFITS	33	
4. CLOSURES WITH COMPENSATORY DAMAGES	20	\$221150
5. CLOSURES WITH ATTORNEY'S FEES AND COSTS	23	\$339711
6. TYPES OF CORRECTIVE ACTION	NUMBER WITH MONETARY AWARDS	NUMBER WITHOUT MONETARY AWARDS
A. HIRE	1	1
1. RETROACTIVE	1	0
2. NON-RETROACTIVE	0	1
B. PROMOTION	13	2
1. RETROACTIVE	11	1
2. NON-RETROACTIVE	1	1
C. DISCIPLINARY ACTION	4	1
1. RESCINDED	3	1
2. MODIFIED	1	0
D. REINSTATEMENT	0	0
E. REASSIGNMENT	1	1
F. PERFORMANCE EVALUATION MODIFIED	5	1
G. PERSONNEL FILE PURGED OF ADVERSE MATERIAL	5	1
H. ACCOMODATION	0	0
I. TRAINING/TUITION/ETC.	2	1
J. LEAVE RESTORED	3	1
K. Award (PLEASE SPECIFY ON COMMENTS PAGE)	0	0
L. Other 1 (PLEASE SPECIFY ON COMMENTS PAGE)	49	1
M. Other 2 (PLEASE SPECIFY ON COMMENTS PAGE)	0	23

PART VIII SUMMARY OF PENDING COMPLAINTS BY CATEGORY

	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
I. TOTAL COMPLAINTS PENDING (SAME AS PART II LINE 9) (A+B+C+D)	1221	577935		
A. COMPLAINTS PENDING WRITTEN NOTIFICATION	250	41508		2532
B. COMPLAINTS PENDING IN INVESTIGATION	143	29830		1945
C. COMPLAINTS PENDING IN HEARING	560	319420		5107
D. COMPLAINTS PENDING A FINAL AGENCY DECISION	268	187177		5996

PART IX SUMMARY OF INVESTIGATIONS COMPLETED

	TOTAL	TOTAL DAYS
I. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD (A+C)	410	104625
A. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL	0	0
1. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS	0	0
2. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS	0	0
3. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS	0	0
B. COST OF AGENCY INVESTIGATIONS	0	
C. INVESTIGATIONS COMPLETED BY CONTRACTORS	410	104625
1. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS	171	22816
2. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS	164	35822
3. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS	75	45987
D. COST OF CONTRACTOR INVESTIGATIONS	1284707	

PART X SUMMARY OF ADR PROGRAM ACTIVITIES

INFORMAL PHASE (PRE-COMPLAINT)			
	COMPLAINTS	COMPLAINANTS	
1. ADR ELECTIONS (a+b)	95	95	
a. Directly	92	92	
b. Through counseling	3	3	
2. RESOURCES USED (a+b+c+d+e+f+g)	95	95	
a. INHOUSE	0	0	
b. ANOTHER FEDERAL AGENCY	95	95	
c. PRIVATE ORGANIZATIONS, CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL	0	0	
d. MULTIPLE RESOURCES USED (Please specify)	0	0	
e. OTHER (Please specify on comments page)			
f. OTHER (Please specify on comments page)			
g. OTHER (Please specify on comments page)			
	COMPLAINTS	COMPLAINANTS	DAYS
3. TECHNIQUES USED (a+b+c+d+e+f+g+h+i+j+k+l)	95	95	3569
a. MEDIATION	95	95	3569
b. SETTLEMENT CONFERENCES	0	0	0
c. EARLY NEUTRAL EVALUATIONS	0	0	0
d. FACTFINDING	0	0	0
e. FACILITATION	0	0	0
f. OMBUDSMAN	0	0	0
g. MINI-TRIALS	0	0	0
h. PEER REVIEW	0	0	0
i. MULTIPLE TECHNIQUES USED (Please specify)	0	0	0
j. OTHER (Please specify on comments page)			
k. OTHER (Please specify on comments page)			
l. OTHER (Please specify on comments page)			
	COMPLAINTS	COMPLAINANTS	DAYS
4. STATUS OF CASES			
I. TOTAL CLOSED (a+b+c+d+e+f)	58	58	2970
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-Monetary)	20	20	585
b. WITHDRAWALS	0	0	0
c. ADR FAILED	38	38	2385
d. Returned for Counseling (Please specify on comments page)			
e. OTHER (Please specify on comments page)			
f. OTHER (Please specify on comments page)			
II. OPEN INVENTORY - ADR PENDING	37	37	599
	COMPLAINTS	COMPLAINANTS	AMOUNT
5. BENEFITS RECEIVED			
A. MONETARY	5	5	\$4574
1. COMPENSATORY DAMAGES	0	0	\$0
2. BACKPAY/FRONTPAY	4	4	\$4074
3. LUMP SUM	0	0	\$0
4. ATTORNEY'S FEES AND COSTS	0	0	\$0
5. Perf Award (Please specify on comments page)	1	1	\$500
6. OTHER (Please specify on comments page)			
7. OTHER (Please specify on comments page)			
B. NON-MONETARY	15	15	
1. NEW HIRES	0	0	
2. PROMOTIONS	1	1	
3. REINSTATEMENTS	0	0	
4. EXPUNGEMENTS	2	2	
5. TRANSFERS	2	2	
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS	0	0	
7. REASONABLE ACCOMMODATIONS	0	0	
8. TRAINING	3	3	
9. Perf Eval Changed (Please specify on comments page)	0	0	
10. Administrative Leave (Please specify on comments page)	7	7	
11. OTHER (Please specify on comments page)			

PART XI SUMMARY OF ADR PROGRAM ACTIVITIES

FORMAL PHASE

	COMPLAINTS	COMPLAINANTS	
1. ADR ELECTIONS	18	17	
2. RESOURCES USED (a+b+c+d+e+f+g)	15	14	
a. INHOUSE	0	0	
b. ANOTHER FEDERAL AGENCY	15	14	
c. PRIVATE ORGANIZATIONS, CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL	0	0	
d. MULTIPLE RESOURCES USED (Please specify)	0	0	
e. Other 1 (Please specify on comments page)			
f. OTHER (Please specify on comments page)			
g. OTHER (Please specify on comments page)			
	COMPLAINTS	COMPLAINANTS	DAYS
3. TECHNIQUES USED (a+b+c+d+e+f+g+h+i+j+k+l)	15	14	810
a. MEDIATION	15	14	810
b. SETTLEMENT CONFERENCES	0	0	0
c. EARLY NEUTRAL EVALUATIONS	0	0	0
d. FACTFINDING	0	0	0
e. FACILITATION	0	0	0
f. OMBUDSMAN	0	0	0
g. MINI-TRIALS	0	0	0
h. PEER REVIEW	0	0	0
i. MULTIPLE TECHNIQUES USED (Please specify)	0	0	0
j. OTHER (Please specify on comments page)			
k. OTHER (Please specify on comments page)			
l. OTHER (Please specify on comments page)			
	COMPLAINTS	COMPLAINANTS	DAYS
4. STATUS OF CASES			
I. TOTAL CLOSED (a+b+c+d+e+f)	15	14	810
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)	5	4	437
b. WITHDRAWALS	0	0	0
c. ADR FAILED	10	10	373
d. OTHER (Please specify on comments page)			
e. OTHER (Please specify on comments page)			
f. OTHER (Please specify on comments page)			
II. OPEN INVENTORY - ADR PENDING	3	3	219
	COMPLAINTS	COMPLAINANTS	AMOUNT
5. BENEFITS RECEIVED			
A. MONETARY	3	3	\$38000
1. COMPENSATORY DAMAGES	2	2	\$18000
2. BACKPAY/FRONTPAY	0	0	\$0
3. LUMP SUM	0	0	\$0
4. ATTORNEY'S FEES AND COSTS	1	1	\$20000
5. OTHER (Please specify on comments page)			
6. OTHER (Please specify on comments page)			
7. OTHER (Please specify on comments page)			
B. NON-MONETARY	2	2	
1. NEW HIRES	0	0	
2. PROMOTIONS	1	1	
3. REINSTATEMENTS	0	0	
4. EXPUNGEMENTS	0	0	
5. TRANSFERS	0	0	
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS	1	1	
7. REASONABLE ACCOMMODATIONS	0	0	
8. TRAINING	0	0	
9. Reassignment (Please specify on comments page)			
10. OTHER (Please specify on comments page)			
11. OTHER (Please specify on comments page)			

PART XII SUMMARY OF ADR PROGRAM ACTIVITIES

TRAINING AND RESOURCES

1. BASIC ADR ORIENTATION TRAINING	NUMBER	TRAINED
a. MANAGERS	5438	897
b. EMPLOYEES	28064	53
2. EMPLOYEES THAT CAN PARTICIPATE IN ADR	NUMBER	
	33502	
4. IN HOUSE STAFF RESOURCES AVAILABLE FOR ADR	NUMBER	
a. FULL TIME	4	
b. PART TIME	4	
c. COLLATERAL DUTY	0	
	0	
4. FUNDING AVAILABLE FOR ADR	AMOUNT	
	\$150000	

CERTIFICATION AND CONTACT INFORMATION

I certify that the EEO complaint data contained in this report, *EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints*, for the report period 1 October 2000 through 30 September 2001 are accurate and complete.

TYPED NAME AND TITLE OF CERTIFYING OFFICIAL:

SIGNATURE OF CERTIFYING OFFICIAL:

TYPED NAME AND TITLE OF PREPARER: Chrystal R. Rivera, Chief, CPMB

SIGNATURE OF PREPARER:

DATE: 11/30/2001 TELEPHONE NUMBER: (202) 616-7479 E-MAIL: chrystal.r.rivera@usdoj.gov

This report is due to the following address:

U.S. Equal Employment Opportunity Commission
Office of Federal Operations
Federal Sector Programs
1801 L Street, NW
Washington, DC 20507

COMMENTS

Part number	Comment
7	"Other" corrective actions included: Priority Consideration; Equitable Workload; Letter of Apology; Detail; Posting Notice; and Adjusted Entry on Duty date.
10	"Other" monetary benefit was a Performance Award.
"Other" Non-Monetary benefits were:	
1 Change of Shift	
1 Desk Audit	
1	Restoration of Annual Leave
6	Settlements and Withdrawals occur primarily at the hearing stage of processing.
2	The increased number of closures identified during this reporting period is a result of aggressive case reconciliation efforts during FY01. Those efforts resulted in the identification of cases that should have been reported as closed in prior years.
1	The number of "Non-ADR settlements with non-monetary benefits" has been changed. The data has been re-verified and the
total of	5" cases is correct for this category.
5	The number of closures involving Rehabilitation Act cases has changed due to detailed research into closed cases that included this statute. Our research continues and, if necessary, data will be updated to reflect any additional changes.
7	Attorney's fees are non-monetary benefits to the complainant, per DOJ/EEOC